1 2 3 4 5 6 7	BILL LOCKYER, Attorney General of the State of California GAIL M. HEPPELL, Supervising Deputy Attorney General, State Bar No. 84134 DANIEL J. TURNER, State Bar No. 79560 Deputy Attorney General California Department of Justice 1300 I Street, Suite 125 P.O. Box 944255 Sacramento, CA 94244-2550 Telephone: (916) 324-7861 Facsimile: (916) 327-2247 Attorneys for Complainant				
8	7 Morneys for Complainant				
9	PETOD				
10	BEFORE THE PHYSICAL THERAPY BOARD OF CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA				
11	STATE OF CA	LIFORUA			
12	In the Matter of the Assessation Assistant	C N- 1D 2001 (200)			
13	In the Matter of the Accusation Against:	Case No. 1D 2001 62806 OAH No. N2002070069			
14 15	JANICE LOUISE BRAZ 5537 Black Olive Drive Paradise, CA 95969	STIPULATED SURRENDER OF LICENSE AND ORDER			
16	Physical Therapist License No. PT 10195				
17	Respondent.				
18					
		ID A CIDEED 1 11 / 1 / 1 / 1 / 1			
19		ND AGREED by and between the parties in this			
20	proceeding that the following matters are true:				
21	<u>PARTIES</u>				
22	1. Steven K. Hartzell (AComplainant@) is the Executive Officer of the				
23	Physical Therapy Board of California. He brought this action solely in his official capacity and				
24	is represented in this matter by Bill Lockyer, Attorney General of the State of California, by				
25	Daniel J. Turner, Deputy Attorney General.				
26	2. Janice Louise Braz (ARespo	ondent@) is representing herself in this			
27	proceeding and has chosen not to exercise her right to be represented by counsel.				

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2	3. On or about February 5, 1981, the Physical Therapy Board of California		
3	issued Physical Therapist License No. PT 10195 to Janice Louise Braz. The License was in fo		
4	force and effect at all times relevant to the charges brought in Accusation No. 1D 2001 62806		
5	and will expire on July 31, 2002, unless renewed.		
6	<u>JURISDICTION</u>		
7	4. Accusation No. 1D 2001 62806 was filed before the Physical Therapy		
8	Board of California (ABoard@), Department of Consumer Affairs, and is currently pending		
9	against Respondent. The Accusation and all other statutorily required documents were properly		
10	served on Respondent on April 30, 2002. Respondent timely filed her Notice of Defense		
11	contesting the Accusation. A copy of Accusation No. 1D 2001 62806 is attached hereto as		
12	Exhibit A and proporated herein by reference.		
13	ADVISEMENT AND WAIVERS		
14	5. Respondent has carefully read, and understands the charges and		
15	allegations in Accusation No. 1D 2001 62806. Respondent also has carefully read, and		
16	understands the effects of this Stipulated Surrender of License and Order.		
17	6. Respondent is fully aware of her legal rights in this matter, including the		
18	right to a hearing on the charges and allegations in the Accusation; the right to be represented by		
19	counsel, at her own expense; the right to confront and cross-examine the witnesses against her;		
20	the right to present evidence and to testify on her own behalf; the right to the issuance of		
21	subpoenas to compel the attendance of witnesses and the production of documents; the right to		
22	reconsideration and court review of an adverse decision; and all other rights accorded by the		
23	California Administrative Procedure Act and other applicable laws.		
24	7. Respondent voluntarily, knowingly, and intelligently waives and gives up		
25	each and every right set forth above.		
26	<u>CULPABILITY</u>		

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Respondent admits the truth of each and every charge and allegation in

1	Accusation No.1D 2001 62806, agrees that cause exists for discipline and hereby surrenders her		
2	Physical Therapist License No. PT 10195 for the Board=s formal acceptance.		
3	9. Respondent understands that by signing this stipulation, she enables the		
4	Board to issue its order accepting the surrender of her Physical Therapist License without further		
5	process.		
6	<u>CONTINGENCY</u>		
7	10. This stipulation shall be subject to approval by the Physical Therapy		
8	Board of California. Respondent understands and agrees that counsel for Complainant and the		
9	staff of the Physical Therapy Board of California may communicate directly with the Board		
10	regarding this stipulation and settlement, without notice to or participation by Respondent. By		
11	signing the stipulation, Respondent understands and agrees that she may not withdraw her		
12	agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon		
13	it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement		
14	and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be		
15	inadmissible in any legal action between the parties, and the Board shall not be disqualified from		
16	further action by having considered this matter.		
17	11. The parties understand and agree that facsimile copies of this Stipulated		
18	Surrender of License and Order, including facsimile signatures thereto, shall have the same force		
19	and effect as the originals.		
20	12. In consideration of the foregoing admissions and stipulations, the parties		
21	agree that the Board may, without further notice or formal proceeding, issue and enter the		
22	following Order:		
23	<u>ORDER</u>		
24	IT IS HEREBY ORDERED that Physical Therapist License No. PT 10195, issued		
25	to Respondent Janice Louise Braz, is surrendered and accepted by the Physical Therapy Board of		
26	California.		
27	13. Respondent shall lose all rights and privileges as a physical therapist in		

1	California as of the effective date of the Board=s Decision and Order.		
2	14. Respondent shall cause to be delivered to the Board her wall license and		
3	pocket license certificate on or before the effective date of the Decision and Order.		
4	15. Respondent fully understands and agrees that pursuant to section 2661.7		
5	of the Business and Professions Code, if she ever files an application for re-licensure or a		
6	petition for reinstatement in the State of California, the Board shall treat any such application as		
7	a petition for reinstatement of a revoked license. Respondent shall comply with all the laws,		
8	regulations and procedures for reinstatement of a booked license in effect at the time the petition		
9	for reinstatement is filed, and all of the charges and allegations contained in Accusation No. 1D		
10	2001 62806 will be deemed to be true, correct and admitted by Respondent when the Board		
11	determines whether to grant or deny the petition.		
12	16. Respondent shall pay the Board its costs of investigation and enforcement		
13	in the amount of \$7,844. Should Respondent pay one-half of this amount to the Board, <i>i.e.</i>		
14	\$3,922, within 90 (ninety) days of the effective date of the Board=s Decision and Order, the		
15	Board shall forgive the remaining amount owed. Should Respondent fail to pay the \$3,922		
16	within the 90 (ninety) days, then the full amount of \$7,844 shall be immediately due and		
17	payable. The filing of bankruptcy by Respondent shall not relieve Respondent of her		
18	responsibility to reimburse the Board.		
19	<u>ACCEPTANCE</u>		
20	I have carefully read the Stipulated Surrender of License and Order. I understand		
21	the stipulation and the effect it will have on my Physical Therapist License. I enter into this		
22	Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to		
23	be bound by the Decision and Order of the Physical Therapy Board of California.		
24			
25	DATED:, 2003.		
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27			

1	JANICE LOUISE BRAZ Respondent		
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5	<u>ENDORSEMENT</u>		
6	The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Physical Therapy Board of California of the Department of Consumer Affairs.		
7			
8			
9	DATED: 5/20/		
10	DATED:5/28/		
11	BILL LOCKYER, Attorney General		
12	of the State of California		
13	Original Cianad Day		
14	Original Signed By DANIEL J. TURNER		
15	Deputy Attorney General		
16	Attorneys for Complainant		
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BEFORE THE PHYSICAL THERAPY BOARD OF CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

	Case No. D2 1997 76608		
In the Matter of the Accusation Against:	OAH No. N2002070069		
JANICE LOUISE BRAZ 5537 Black Olive Drive Paradise, CA 95969	011111001111002070000		
Physical Therapist License No. PT 10195			
Respondent			
	_		
DECISION AN	D ORDER		
The attached Stipulated Surrender of	f License and Order is hereby a	dopted by the	
Physical Therapy Board of California, Department	of Consumer Affairs, as its Dec	cision in this	
matter.			
This Decision shall become effective	e on <u>August 25</u>	, 2003.	
It is so ORDERED July 24	. 2003.		

_Original Signed By Ellen Wilson

DEPARTMENT OF CONSUMER AFFAIRS

FOR THE PHYSICAL THERAPY BOARD OF CALIFORNIA

Exhibit A Accusation No. D2 1997 76608